



Health Services
LOS ANGELES COUNTY

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313 N. Figueroa Street, Suite 912
Los Angeles, CA 90012

Tel: (213) 240-8101
Fax: (213) 481-0503

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*To ensure access to high-quality,
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residents through direct services at
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university partners.*



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May 24, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF ORDINANCE AMENDMENTS TO THE COUNTY
CODE
(ALL DISTRICTS)
(3 VOTES)**

SUBJECT

Request approval to amend ordinances to County Code, Title 7, Business Licenses, Chapters 7.14 and 7.16, to allow the Department of Health Services' Emergency Medical Services Agency to improve public health and safety through the provision of enhanced medical control and oversight of medical transportation services operators that operate throughout Los Angeles County. The amended ordinances introduce increased fees for new and renewed ground ambulance and ambulette operator licenses, new fees for licensing of Emergency Medical Service aircraft operators and aircraft, and the requirement that all private ground ambulance operators and Emergency Medical Services aircraft operators be licensed by Los Angeles County in order to operate within the County.

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC
HEARING:**

1. Approve and adopt the attached ordinance change (Exhibit I) to County Code Title 7, Business Licenses, Chapter 7.14, License Fees, to reflect fee increases for new and renewed ground ambulance and ambulette operator licenses and new license fees for private Emergency Medical Services (EMS) aircraft operators and aircraft, as listed in Attachment A.
2. Approve and adopt the attached ordinance change (Exhibit II) to County Code Title 7, Business Licenses, Chapter 7.16, Ambulances, that (i) amends various provisions to require all

private ground ambulance operators to be licensed by the County of Los Angeles (County) in order to operate within the County; (ii) adds provisions to require all private EMS aircraft operators to be County-licensed in order to operate within the County; and (iii) makes other changes to this Chapter to improve the licensing and regulation of ambulance services.

PURPOSE/JUSTIFICATION OF THE RECOMMENDED ACTIONS

The Department of Health Services' (DHS) EMS Agency indicates that there is little to no medical oversight of ambulance companies that are not currently licensed by the County. The recommended Ordinance amendments are necessary to improve public health and safety by creating a more-integrated EMS System, one that requires all ambulance operators to follow standard EMS policies. Operators will also be required to understand hospital capabilities and their role and responsibilities as part of the EMS System during a disaster or multiple casualty incidents.

Approval of the first recommendation will amend the County Code to increase the initial and annual renewal business license fees for ground ambulance and ambulette operators. The recommended license fee increases are necessary to support the County's ambulance and ambulette operator licensing program, which has evolved considerably since the current fees were set in 1995. The proposed fees are based on the actual cost of resources necessary to perform the licensing functions. DHS' EMS Agency worked with the Department of Auditor-Controller to validate the different components included in the computation of the proposed fees.

The fee for the initial license is a one-time fee, only applicable to new licensing applicants. This initial fee is higher than the annual renewal fee because the review and approval process of initial license applications requires significant time and resources, including the cost of providing a court reporter for hearings by the Ambulance Licensing Board. To minimize the impact of this change on providers, the vehicle license fees for ground ambulances will not increase (Attachment A).

The County Code currently does not provide the authority for the licensing of private EMS aircraft operators, therefore a fee was never established for this function. This action will allow the County to implement licensing fees for private EMS aircraft operators and aircraft. These new fees will help the County recoup its cost for licensing these operators.

Approval of the second recommendation will amend the County Code to mandate that all private ambulance providers and EMS aircraft operators operating within the County obtain a County business license. Currently, private ground ambulances providing Basic Life Support service and EMS aircraft companies operating within 78 of the 88 incorporated cities are not required to be licensed by the County and, therefore, are not subject to DHS medical oversight.

The proposed ordinance will improve oversight of patient care by ambulance providers and EMS aircraft operators, improving the health, welfare, and safety of the residents of and visitors to the County. Under the ordinance, the EMS Agency will have the ability to monitor the operations of all ambulance providers for appropriate staff, staff training, medical equipment, and quality of patient care, to improve services for County residents.

This recommended ordinance change also removes the requirement for applicants to show "need and necessity" in their proposed operating area. In addition, the ordinance amendments impose financial penalties upon operators or their personnel for violations of applicable County codes, Prehospital Care Policies, and/or State laws or regulations.

The Small Business Commission and the Los Angeles County Ambulance Association, Incorporated, have expressed their support for the increased medical oversight and enhancement of public safety permitted by the amended Ordinance. In addition, the California Contract Cities Association as well as the City of Carson, have introduced resolutions in support of the Ordinance change.

During the next budget phase, the EMS Agency will request to reallocate three existing vacant budgeted positions to the Ambulance Program Section to provide additional enforcement and oversight and respond to the anticipated increased workload associated with the regulation of all ambulance (ground and air) operators in the County. These positions will ensure timeliness of license processing, compliance with the requirements of the revised ordinance, applicable County Codes, Prehospital Care Policies, and/or applicable State laws or regulations. In addition, the staff will be responsible for conducting investigations into alleged violations of the revised ordinance and making recommendations of financial penalties for infractions.

Implementation of Strategic Plan Goals

The recommended actions support Goal 4, Health and Mental Health, of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

The ambulance licensing services require extensive review of various documents such as but not limited to financial reports, insurance, coverage, zoning, medical dispatch policies and procedures, billing and patient confidentiality and security procedures etc. The proposed fees (Attachment A) will cover the cost of processing licensing applications and the additional cost of enforcement of the revised County ordinance requirements. The additional revenues for the licensing of all ambulance providers, regardless of type and level of services, will also offset the supplementary cost associated in providing the necessary monitoring and compliance services by the EMS Agency Ambulance Program section.

Currently, the ground ambulance and ambulette operator and vehicle license fees generate annual revenue of approximately \$249,000. This revenue (87%) is mostly generated from the vehicle fees which are not being increased. Although the proposed operator fees are being significantly increased, annual revenue is projected to increase by only \$294,000 for a total of \$543,000. This additional revenue is based on the estimated increase in existing operators' license renewal fees and the new operators and vehicles' license fees under the revised ordinance

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

State law, including the EMS System and the Prehospital Emergency Medical Care Personnel Act ("EMS Act"), found under California Health and Safety Code Section 1797, et. seq., provides the County with the necessary legal authority for the proposed amendments.

The County's State-approved EMS Plan includes the integration of all ambulance and EMS aircraft transportation providers into the EMS System to ensure public safety. This is best accomplished via the local EMS Agency having medical control and oversight of the medical care, quality improvement, and dispatch services of all private ambulance providers operating in Los Angeles County. Effective implementation of the approved EMS Plan will be facilitated by the recommended amendments to the County Code.

A local agency is required to hold a public hearing at which oral or written presentations can be made pursuant to the California Government Code (Government Code), section 66018. The Executive Office of the Board of Supervisors, in accordance with Government Code section 6062 (a), published an official notice of the time and place of said meeting, including a general explanation of the fees to be established or revised.

County Counsel has reviewed and approved Exhibits I and II.

CONTRACTING PROCESS

Not applicable.


The Honorable Board of Supervisors
May 24, 2011
Page 5

IMPACT ON CURRENT SERVICES (OR PROJECTS)

If approved, the new and amended County Code provisions for the licensing of EMS aircraft and ambulance providers will be enacted thirty (30) days following your Board's approval. At that time, businesses subject to these provisions will have a maximum of six (6) months to apply for an operator license under the amended County Code license requirements.

Respectfully submitted,



 Mitchell H. Katz, M.D.
Director

MHK:rg

Enclosures (3)

c: Chief Executive Office
Executive Office, Board of Supervisors
County Counsel
Auditor-Controller

**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES (EMS) AGENCY**

Licensing Fees	Current Fee ^(a)	Proposed Fee ^(b)
Ground Ambulance:		
Ambulance & Ambulette Operator		
Original License	\$ 1,435.39	\$ 4,846.17
Renewal License	244.34	2,923.43
Vehicle ^(c)		
Original License	373.86	373.86
Renewal License	339.55	339.55
Air Ambulance: ^(d)		
Ambulance Operator		
Original License	N/A	7,566.92
Renewal License	N/A	2,483.95
Aircraft		
Original License	N/A	373.86
Renewal License	N/A	339.55

(a) Last Board approved fee increase was in 1995.

(b) Proposed fees are based on labor and services directly associated with processing licensing applications and enforcement of the County ordinance requirements.

(c) No change to current licensing fees.

(d) Proposed new licensing fees for all private EMS air ambulance/aircraft operators in order to operate within the County.

ORDINANCE NO. _____

An ordinance amending Title 7 – Business Licenses of the Los Angeles County Code, relating to

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 7.14 is hereby amended to read as follows:

7.14 LICENSE FEES

SECTION 2. Section 7.14.010 is hereby amended to read as follows:

7.14.010 Fee schedule.

The license fees required to be paid to perform, carry on, conduct or engage in any businesses, occupations or activities set forth in this Title 7, the license ordinance codified in this title, are as stated in this chapter.

		FEES	
		First Year	Annual Renewal
ACCUPRESSURE ESTABLISHMENT		\$2,268.00	\$ 354.00
ACCUPRESSURIST		351.00	234.00
ADULT BUSINESS			
1.	Bookstore	2,228.00	1,712.00

		FEES	
		First Year	Annual Renewal
2.	Cabaret	1,981.00	1,712.00
3.	Hotel		
	a. 5 to 10 units	317.00	200.00
	b. 11 to 15	317.00	129.00
	c. 16 or more units	378.00	246.00
4.	Motel	340.00	223.00
5.	Motion picture arcade	1,988.00	1,712.00
6.	Motion picture theater	1,836.00	1,552.00
7.	Theater	1,836.00	1,552.00
<u>AIR AMBULANCE OPERATOR</u>		<u>7,566.92</u>	<u>2,483.95</u>
AMBULANCE OPERATOR		1,435.39	244.34
		<u>4,846.17</u>	<u>2,923.43</u>
<u>AMBULANCE, AIR</u>		<u>373.86</u>	<u>339.55</u>
<u>AMBULANCE, GROUND</u>		373.86	339.55

		FEES	
		First Year	Annual Renewal
AMBULETTE OPERATOR		1,435.39 <u>4,846.17</u>	244.34 <u>2,923.43</u>
AMBULETTE		361.72	327.41
APARTMENT HOUSE OR HOTEL			
	1. If from 5 to 10 families, inclusive, can be housed.	259.00	185.00
	2. If from 11 to 15 families, inclusive, can be housed.	282.00	200.00
	3. If over 15 families can be housed.	340.00	223.00
BILLIARD ROOM OR CLUB		2,092.00	358.00
BINGO			
	1. Bingo games.	50.00	50.00
	2. Bingo manager.	50.00	50.00
	3. Bingo equipment supplier.	1,522.00	80.00

		FEES	
		First Year	Annual Renewal
	2. Without business license commission hearing.	252.00	----
DANCES			
	1. All dances except for a single special dance, taxi dance hall, or youth or charity dance.	1,771.00	223.00
	2. Special dance (single).	1,806.00	152.00
	3. Taxi dance hall.	1,774.00	177.00
	4. Youth or charity dance.	No fee	----
DEMONSTRATOR		168.00	60.00
DUPLICATE LICENSES		91.00	----
ENTERTAINMENT			
	1. Class I or Class III without dance license.	1,981.00	406.00
	2. Class I or Class III if applied for concurrently with dance license.	621.00	406.00

		FEES	
		First Year	Annual Renewal
3.	Charity.	No fee	----
ESCORT BUREAU		1,864.00	1,590.00
EXHIBITION		1,808.00	275.00
EXPLOSIVES		555.00	293.00
FERTILIZER PLANT		363.00	175.00
FILLING STATION		361.00	252.00
FOUNDRY		340.00	223.00
FUNERAL ESCORT			
1.	Business.	175.00	131.00
2.	Employee.	175.00	131.00

		FEES	
		First Year	Annual Renewal
GAME ARCADE		1,777.00	251.00
GASOLINE AND OIL TANK TRUCKS		307.00	200.00
GUN DEALER		739.00	279.00
HAY, GRAIN AND FEED DEALER		309.00	200.00
HEALTH CLUB		1,750.00	251.00
HEALTH SPA		1,750.00	251.00
HOG RANCH		445.00	175.00
HORSE MEAT		194.00	60.00
HOTEL			
	5 to 10 units	317.00	200.00

		FEES	
		First Year	Annual Renewal
	11 to 15 units	317.00	129.00
	16 or more units	378.00	246.00
IDENTIFICATION CARD		168.00	60.00
LAUNDERETTE		265.00	185.00
LIVERY STABLE		340.00	223.00
LOCKSMITH AND ITINERANT LOCKSMITH		201.00	131.00
LUMBERYARD		447.00	246.00
MANAGER--ENTERTAINMENT, GAME, MODEL STUDIO, PICTURE ARCADE, OR ADULT BUSINESS		175.00	131.00
MASSAGE PARLOR		2,254.00	213.00

		FEES	
		First Year	Annual Renewal
MEDICAL MARIJUANA DISPENSARIES		2,254.00	213.00
MEDICAL MARIJUANA DISPENSARY MANAGER		252.00	203.00
MASSAGE TECHNICIAN		252.00	208.00
MODEL STUDIO		1,752.00	1,593.00
MOTEL		340.00	223.00
MOTORCYCLE CONTEST			
1.	First day.	363.00	----
2.	Each additional day.	175.00	----
MOTOR VEHICLE			
1.	Rental.	201.00	131.00
2.	Repair.		
a.	Body and fender.	475.00	275.00

		FEES	
		First Year	Annual Renewal
	b. Painting.	475.00	275.00
	c. Licensed repairer.	475.00	275.00
NURSERY (plant)		194.00	131.00
OFF-THE-ROAD VEHICLE		1,574.00	177.00
OIL TOOL EXCHANGE		207.00	144.00
OUTDOOR FESTIVAL			
	1. Religious worship.	No fee	----
	2. All others.		
	a. First day.	1,866.00	----
	b. Each additional day.	278.00	----
PARTNERSHIP CHANGE			
	1. With business license commission hearing.	1,613.00	----

		FEES	
		First Year	Annual Renewal
	2. Without business license commission hearing.	252.00	---
PAWNBROKER		377.00	157.00
PEDDLER			
	1. Commercial motor vehicles.	168.00	131.00
	2. Special events.	168.00	131.00
PICNIC PARK		317.00	200.00
PICTURE ARCADE		1,775.00	129.00
PONY RIDE		194.00	131.00
POULTRY DEALER		194.00	131.00
PROMOTER (charitable)		1,502.00	60.00

		FEES	
		First Year	Annual Renewal
PUBLIC EATING PLACES			
1.	Public eating establishments.	431.00	223.00
2.	Food establishments.	424.00	223.00
REBOUND TUMBLING CENTER		529.00	175.00
RENDERING PLANT		194.00	60.00
RIDES (mechanical)		318.00	200.00
RIFLE RANGE		1,862.00	226.00
RODEO			
1.	First day.	1,808.00	----
2.	Each additional day.	204.00	----

		FEES	
		First Year	Annual Renewal
1.	Commercial.	168.00	60.00
2.	Noncommercial.	168.00	60.00
SWIMMING POOL -- PUBLIC		194.00	60.00
TAXI DANCER AND TAXI DANCER INSTRUCTOR		168.00	60.00
TAXICAB			
1.	Driver.		
	a. Regular fee.	175.00	131.00
	b. If the applicant submits with his application a valid, unrevoked, current taxicab driver' s license, certificate, or permit approved by the sheriff and issued by a city.	168.00	131.00
2.	Operator.		
	a. Regular fee.	1,526.00	155.00
	b. For the first cab.	168.00	131.00
	c. For each additional cab.	168.00	131.00

		FEES	
		First Year	Annual Renewal
	d. Application to modify own license without commission hearing.	168.00	----
	e. Application to modify with commission hearing.	1,495.00	----
THEATER (motion picture and live, other than adult)		1,829.00	246.00
TOW TRUCK		168.00	131.00
TRADE-IN DEALER		317.00	227.00
TRAVELING SHOW OR CIRCUS			
	1. First day.	1,831.00	----
	2. Each additional day.	204.00	----
	3. Carnival game booth.	329.00	201.00
VACATION CERTIFICATE BUSINESS		1,495.00	60.00

		FEES	
		First Year	Annual Renewal
	In addition to license fees set forth in Section 7.85.050.		
VALET PARKING SERVICE		175.00	131.00
WATER TAXI			
	1. Operator.	1,556.00	185.00
	2. Boat.		
	a. First boat.	175.00	131.00
	b. Each additional boat.	175.00	60.00
WEED ERADICATOR		237.00	129.00

(Ord. 2006-0036 § 3, 2006: Ord. 2003-0067 § 19, 2003: Ord. 2002-0073 § 1, 2002: Ord. 99-0039 § 2, 1999: Ord. 94-0071 § 1, 1994: Ord. 94-0046 § 1, 1994: Ord. 93-0062 § 1, 1993: Ord. 92-0132 § 9, 1992: Ord. 92-0057 § 1, 1992: Ord. 91-0085 § 1, 1991: Ord. 91-0002 § 3, 1991: Ord. 90-0065 § 1, 1990: Ord. 89-0108 § 1, 1989: Ord. 88-0184 § 6, 1988: Ord. 88-0181 § 3, 1988: Ord. 88-0107 § 1, 1988: Ord. 88-0051 § 1, 1988: Ord. 87-0068 § 1, 1987: Ord. 86-0211 § 1, 1986: Ord. 86-0098U § 1, 1986: Ord. 85-0150 § 1, 1985: Ord. 85-0110U § 1, 1985: Ord. 84-0100 § 1, 1984: Ord. 84-0098U § 1, 1984: Ord. 83-0201 §

1, 1983: Ord. 83-0053 § 1, 1983: Ord. 82-0121 § 2, 1982; Ord. 82-0078 § 1, 1982: Ord. 12362 § 2, 1981: Ord. 12338 § 3, 1981; Ord. 12230 § 4, 1980: Ord. 12156 § 1, 1980: Ord. 12146 § 4, 1980; Ord. 11929 § 1, 1979: Ord. 11822 § 2, 1978; Ord. 11729 § 1, 1978: Ord. 11560 § 1, 1977: Ord. 11366 § 1, 1976: Ord. 11209 § 2, 1975: Ord. 5860 Ch. 31 § 11001, 1975.)

SECTION 3. Section 7.14.020 is hereby amended to read as follows:

7.14.020 Exemptions from license fee -- Blind persons.

In addition to those licenses which Section 16102 of the Business and Professions Code, or any other law of this state, requires be issued without fee, the tax collector shall issue without fee a license to any blind person who otherwise would be entitled to such license if such person files with the tax collector a certificate by a licensed physician and surgeon or by the Bureau of Vocational Rehabilitation of the Department of Education of the state of California that he is a blind person as those words are used in this section. As used in this section, a "blind person" means a person having not more than 10 percent visual acuity in the better eye with correction. (Ord. 6586 § 2 (part), 1954: Ord. 5860 Ch. 1 Art. 11 § 134, 1951.)

SECTION 4. Section 7.14.030 is hereby amended to read as follows:

7.14.030 Refunds.

A. The county auditor may refund to the licensee all moneys collected by the tax collector because of excess, erroneous or double payment if the licensee files a proper claim.

B. Whenever license fees are reduced during the calendar year and are made retroactive because the board of supervisors finds that the higher fee was not legally

justified, and whenever the applicant has paid prior to the beginning of the license period and subsequent to such payment the fee has been reduced, the auditor shall make refunds as follows:

On the presentation of a refund claim, prepared in duplicate, approved by the tax collector and accompanied by the licensee, the auditor shall:

1. Transmit to the tax collector a warrant for the newly established fee; and
2. Remit the remainder to the licensee. (Ord. 6303 § 1 (part), 1953; Ord. 5958 § 4, 1952; Ord. 5860 Ch. 1 Art. 11 § 133, 1951.)

SECTION 5. Section 7.14.040 is hereby amended to read as follows:

7.14.040 Transferability of ambulance and ambulette vehicle license.

Notwithstanding Sections 7.06.280 and 7.06.290 of this code, the annual ambulance or ambulette vehicle license purchased under the provisions of this chapter is transferable to a new vehicle in the operator's ambulance or ambulette fleet if the new vehicle replaces an old vehicle, no longer in service, for which the license was originally issued. If the new ambulance or ambulette vehicle is an addition to the operator's existing ambulance or ambulette fleet, then a new license for the vehicle must be purchased. (Ord. 96-0068 § 1, 1996; Ord. 88-0181 § 4, 1988.)

SECTION 6. Section 7.14.050 is hereby amended to read as follows:

7.14.050 Transferability of ambulance and ambulette operator permit.

The director of the department of health services shall be notified in writing of any request to transfer an ambulance operator's license or ambulette operator's license from the current licensee to another person, partnership, corporation, or other entity at least 30 days prior to the proposed effective date of such transfer. Upon receipt of such

notification, the director may require the processing of a new application, including a full license application fee, for a license transfer. Notice of a requirement for a new application must be sent by certified mail to the license transferee from the director within 15 days from the receipt by the director of the transfer notice.

Following receipt of an application for a transfer of ownership of the license, the director may conduct a public hearing to determine if the applicant meets all requirements of this title. (Ord. 96-0067 § 1, 1996.)

[714010MLCC]

ANALYSIS

This ordinance amends Title 7 - Business Licenses, Chapter 7.16, of the Los Angeles County Code, relating to ambulances by:

- Amending various provisions in order to allow the County to require all private ambulance providers, regardless of type or level of service, to be County licensed in order to operate within the incorporated and unincorporated areas of Los Angeles County;
- Adding various provisions in order to allow the County to require all private air ambulance providers to be County licensed in order to operate within the incorporated and unincorporated areas of Los Angeles County;
- Adding provisions which allow the County to more effectively issue notices of violation and assess administrative fines for violations of local, state, and federal ambulance regulations, set forth the due process requirements for assessing such fines, including notice and hearing requirements, and allow the County to impose an administrative fine on any operator, employee, independent contractor, or other agent who violates any provision of Chapter 7.16;
- Amending certain definitions to conform to current usage; adding definitions for "Director of Health Services," or "Director," "EMS Aircraft", "Enforcement Officer," and "Hearing Officer";
- Streamlining the application process, but requiring specific financial statements for "start-up" applicants versus "established" applicants, to document assets that

are to sustain the ambulance operation and allowing Department of Health

Services to conduct more thorough background checks on applicants;

- Updating the insurance provisions in order to be consistent with current County policy;
- Eliminating the need for an applicant to prove that a need and necessity exists for licensure;
- Transferring the responsibility for compliance from the employer to the individual employee to ensure that employee has current required licenses and certifications; and
- Updating various provisions to conform to current emergency medical transportation usage and practice and for consistency.

ANDREA SHERIDAN ORDIN
County Counsel

By 
MAYA LEE
Deputy County Counsel
Health Services Division

ML:if

7-2-08 (requested)
10-28-10 (revised)

ORDINANCE NO. _____

An ordinance amending Title 7 – Business Licenses, Chapter 7.16 – Ambulances, relating to the licensing and regulation of ambulance services.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 7.16.005 is hereby amended to read as follows:

7.16.005 Legislative intent.

A. It is the board's intent in amending this chapter to undertake the prescribed functions and responsibilities of a local government entity concerning ambulance services as authorized by the state of California pursuant to, among other authority, Health and Safety Code Sections 1443 and 1797, et seq., Welfare and Institutions Code Section 17000, Vehicle Code Section 2512, and case law.

B. It is the board's further intent in enacting this chapter to exercise the full extent available to it under the laws of the state of California its discretion and authority to regulate, set rates, and issue licenses for all ground ambulance services and to issue licenses for all EMS Aircraft, regardless of services level, ~~emergency ambulance services and emergency ambulance rates throughout all the unincorporated areas and incorporated areas cities of the county of Los Angeles, except in an incorporated area where such authority is expressly delegated, provided, or reserved to a city by county contract or by law.~~

C. It is the board's further intent that, within six (6) months of the adoption of this amended section, all existing ambulance operators conducting business within any incorporated city or unincorporated area of the county which do not currently hold county business licenses apply for all appropriate licenses.

D. No part of this chapter shall apply to a governmental agency in the provision of ambulance services in response to emergency calls on an emergent or code 3 basis.

E. Enacting this chapter does not preclude an incorporated city from regulating private ground ambulance and EMS Aircraft operators within its jurisdiction if a business license has been issued by the County of Los Angeles.

SECTION 2. Section 7.16.010 is hereby amended to read as follows:

7.16.010 Definitions.

For the purpose of this chapter, the following terms are defined and shall be construed as set forth in this section, unless the context clearly indicates otherwise:

A. "Advanced life support "(ALS)" means special services designed to provide definitive prehospital emergency medical care, including, but not limited to, cardiopulmonary resuscitation, cardiac monitoring, cardiac defibrillation, advanced airway management, intravenous therapy, administration of specified drugs and other medicinal preparations, and other specified techniques and procedures administered by authorized personnel under the direct supervision of a base hospital as part of a local EMS system at the scene of an emergency, during transport to an acute care hospital, during interfacility transfer, and while in the emergency department of an acute care hospital until responsibility is assumed by the emergency or other medical staff of the hospital.

B. "Ambulance" means a motor vehicle specially constructed, modified, equipped, or arranged for the purpose of transporting sick, injured, convalescent, infirm, or otherwise incapacitated persons, authorized by the state as an emergency vehicle, and used, or having the potential for being used, in emergency or nonemergency medical service to the public.,

regardless of level of service. An ambulance includes a ground ambulance and EMS Aircraft.

~~A helicopter or air ambulance is not a motor vehicle for the purpose of this chapter.~~

C. "Ambulance attendant" means any person other than the ambulance driver who is employed to accompany an ambulance driver while transporting any person needing medical attention or services.

D. "Ambulance driver" means any person who drives an ambulance in which is transported any person needing medical attention or services is transported.

E. "Ambulance operator" means any person or entity who for any monetary or other consideration, or as an incident to any other occupation, transports in one or more ambulances one or more persons needing medical attention or services.

F. "Ambulance services" means the transportation of any person for monetary or other consideration in an ambulance.

G. "Basic life support (BLS)" means emergency first aid and cardiopulmonary resuscitation procedures which, as a minimum, include recognizing respiratory and cardiac arrest and starting the proper application of cardiopulmonary resuscitation to maintain life without invasive techniques until the victim may be transported or until advanced life support is available.

H. "Code 2" or non-emergent means a request for ambulance transport which is urgent and is nonemergency and which cannot be scheduled more than one hour in advance.

I. "Code 3" or emergent means the authorized use of red lights and siren during a response or transport.

J. "Critical care transport" or "critical care transport provider" means any transport or person who transports a patient from one health care facility, trauma center, or acute care facility to another where the skill level required in the care of that patient during transport exceeds the basic life-support, Emergency Medical Technician—4 (EMT-4) and Emergency Medical Technician-Paramedic (Paramedic) level and scope of training.

K. "Director of health services" or "director" shall include the County Director of Emergency Medical Services or his or her designee.

KL. "Emergency call" means a request for an ambulance where an individual has a need for immediate medical attention, or where the potential for such need is perceived by emergency medical personnel or a public safety agency.

M. "Emergency Medical Services" means the services needed to provide immediate medical attention in a condition or situation in which an individual has need for such services or where the potential for such need is perceived by emergency medical personnel. Emergency medical services shall include all such services for all such persons in the incorporated and unincorporated areas of the county.

N. "EMS Aircraft" means any aircraft utilized for the purpose of prehospital emergency patient response and transport services. EMS Aircraft includes air ambulances and all categories of rescue aircraft as defined by state regulations.

O. "Enforcement Officer" shall mean any county employee or agent designated by the director to enforce any provision of this chapter.

P. "Hearing Officer" shall mean the person appointed by the director to conduct the administrative hearings provided for in this chapter. The hearing officer shall not be the

enforcement officer who issued the notice of administrative fine that is the subject of the administrative hearing or his/her immediate supervisor.

LQ. "Local EMS agency" or "agency" means the county of Los Angeles department of health services, designated by the board as the local EMS agency pursuant to Health and Safety Code Sections 1797, et seq.

MR. "Nonemergency call" means a request for the transport of a stretcher patient to or from a medical facility in a licensed ambulance and which is neither an emergency call nor a critical care transport.

NS. "Response time" means the interval of time between the moment the basic items of dispatched information have been obtained by an operator to the moment the operator's ground ambulance arrives at the scene of pickup. Response time for nonemergency or scheduled calls, or both, shall be within 90 minutes of the time of the call or the scheduled pickup, whichever applies.

OT. "Special events" means any situation where a previously announced event or activity creates a need to have one or more ambulances present because of risks of physical harm to participants in the event or activity, or to others in attendance there, or to both such groups.

SECTION 3. Section 7.16.030 is hereby amended to read as follows:

7.16.030 Licenses – Required.

Every ambulance operator shall first procure and maintain a license and pay an annual license fee in the amount set forth in Section 7.14.010 of this code under the appropriate heading- in order to operate in any incorporated city or unincorporated area of the county.

SECTION 4. Section 7.16.040 is hereby amended to read as follows:

7.16.040 Vehicle license -- Other documentation -- Required.

A. Every ground ambulance used for transporting any person needing medical attention or services, in which a person entered or was placed in such ambulance at any location, either (4) ~~in the an~~ incorporated city or unincorporated area of the county for either: (1) emergency medical attention or emergency services as a result of a 9-1-1 response, or (2) ~~in the unincorporated area of the county for nonemergency transportation services~~, shall have and conspicuously display on the left rear portion of such vehicle a county seal issued by the local EMS agency.

Ambulance vehicles are also required to carry the following documents:

- A.1. Original or ~~faesimile~~ copy of California Department of Motor Vehicles Registration;
- B.2. Insurance identification card;
- C.3. Original or ~~faesimile~~ copy of current county business license or temporary authorization;
- D.4. Copy of the most recent California Highway Patrol (CHP) inspection sheet; and
- E.5. Original or copy of valid CHP ambulance identification certificate. For new fleet vehicles, a copy of the CHP inspection sheet shall serve as the temporary operating authorization for 30 days following the date of inspection by the CHP.

B. Every EMS Aircraft used for transporting any person needing medical attention or services, in which a person entered or was placed at any location either in an incorporated city

or unincorporated area of the county for either: (1) emergency medical attention or emergency services as a result of a 9-1-1 response or (2) nonemergency transportation services, shall have and conspicuously display on the vehicle, in a manner which does not obscure the pilot's vision, a county seal issued by the local EMS agency, in addition to any other required documents as specified in Los Angeles County prehospital care policies and procedures.

C. Failure to provide current vehicle documentation upon request to local EMS agency representatives shall result in the ambulance immediately being taken out of service at the conclusion of the call until such time as current documentation is placed in the ambulance. Company shall provide documentation of current information to the local EMS agency no later than 5:00 p.m. the next business day.

D. ~~Critical care transport vehicles~~ Ambulances, staffed at the emergency medical technician - paramedic (EMT-P or Paramedic) advanced life support level or critical care transport level, and which pick up patients at any location in Los Angeles County, must have a county license and otherwise meet the requirements of this section.

SECTION 5. Section 7.16.042 is hereby amended to read as follows:

7.16.042 Waiver by director of licensure conditions under specified circumstances.

The director of the department of health services may waive in writing any one or more of the licensure procedures or conditions defined in Sections 7.16.020, 7.16.050, 7.16.051, 7.16.060, and 7.16.070, ~~and 7.16.080~~, and grant a license to an ambulance operator, if the director finds that adherence to such procedure(s) or condition(s) will either prevent or delay the securing by the county of cost-effective and efficient emergency ambulance services which

the director has determined are immediately needed to serve county residents. As a requirement to the waiver of any such procedure or condition, however, either a county contract for the provision of emergency ambulance services to county residents must be executed by the operator and by the board or the director must find that the ambulance operator provides special events services only.

SECTION 6. Section 7.16.050 is hereby amended to read as follows:

7.16.050 Ambulance operator license -- Application.

Every application for an ambulance operator's license shall be signed by the applicant and filed with the local EMS agency. In addition to the requirements of Section 7.06.020 of this title, the application shall contain the following information:

A. Evidence of Applicant's Financial Capability.

1. Financial statements for established applicants which have been in operation for more than one (1) year: current and pre-forma profit and loss statements, and current balance sheet, both of which must be prepared by a certified public accountant, shall be provided for the last two (2) fiscal years. depreciation schedule, and current balance sheet. ~~The depreciation schedule shall include a list of vehicles to be used. The balance sheet shall show evidence that the applicant has sufficient liquid assets to sustain the operation during a start up period of at least six months.~~

2. Financial statements for new or start up applicants, which have been in business for less than one (1) year: current profit and loss statements and current balance sheet, both of which must be prepared by a certified public accountant, shall be provided. Pro forma profit and loss statements shall also be provided.

3. The financial statements shall demonstrate that the applicant has adequate financial health, based on liquidity, profitability, and sustainability, to maintain ambulance service operations.

~~2.~~ 4. Data shall be submitted showing the estimated average cost of operating one trip and the number of trips per day a vehicle must be run to be profitable; the costs per trip should be itemized. The use of break-even-type formulas may be used to show the economic feasibility of the proposed operation;

~~B. Evidence from the applicant that the person(s) holding licenses for the operation of the type of vehicle and in the area for which application is being made are inadequately serving the public.~~

~~Except as expressly provided below, this evidence shall include written statements or other evidence of either inadequate response times or inadequate care by existing providers.~~

~~For purposes of demonstrating that the response times or care of existing providers are inadequate, the applicant may rely on facts provided by the local EMS agency to the extent the local EMS agency chooses to disclose such facts.~~

~~In the event that the number of current county licensed ambulance operators, excluding ambulance operators approved to provide special event services only, is nine or less, an applicant may, in lieu of demonstrating either inadequate response times or inadequate care by existing operators, furnish information showing only how the applicant's operations will enhance the level of service to the community. For the sole purpose of calculating the number of current county licensed ambulance operators under this subparagraph, two or more corporate ambulance operators whose controlling shares of stock have been acquired by the~~

~~same person, and which continue to operate under the same individual corporate names as were listed in their county licenses prior to such stock acquisition, shall be considered as one ambulance operator.~~

B. The applicant, except for those operators providing special events or EMS Aircraft services only, must agree to respond to requests for service within the following county response time standards:

1. Emergency calls: Maximum response times:

Urban: all census tracts with a population density of 100 or more persons per square mile; or census tracts and enumeration districts without census tracts which have a population density of 100 or more persons per square mile: eight minutes, fifty-nine (59) seconds.

Rural: all census tracts with a population density of 10 to 99 persons per square mile; or census tracts and enumeration districts without census tracts which have a population density of 10 to 99 persons per square mile: 20 minutes, fifty-nine (59) seconds.

Wilderness: census tracts and enumeration districts without census tracts which have a population density of less than 10 persons per square mile: as quickly as possible.

In accordance with Section 7.16.345 of this chapter, the director of the department of health services may waive in writing one or more of these response time requirements for any operator for a prescribed period. However, any change in the maximum response times defined in Section 7.16.050 will require a new agreement waiver.

2. Critical care transport and nonemergency calls: Maximum response time:

90 minutes of the time of the call or the scheduled time to pickup, whichever applies;

C. Testimony (written or verbal, or both) presented in support of the application from responsibly positioned people, institutions, or users of the service;

D. Evidence that the applicant's company has technically qualified management. This evidence shall include the manager's resume showing type and duration of transportation experience, including at least five years of increasingly responsible experience in the operation or management of a basic life support or advanced life support service;

E. Areas within which the applicant proposes to operate;

F. The number and type, age, condition, and patient capacity of each ambulance proposed to be operated by the applicant, and a description of the premises which are to serve as the base of operations;

G. ~~Kind and amount of automobile liability, public liability, professional liability, Worker's Compensation, and other insurance of the applicant:~~ A certificate or other evidence of insurance coverage satisfactory to county confirming that the license applicant carries an insurance policy with coverages and limits that are in accordance with the requirements of Section 7.16.180;

H. The color scheme and insignia to be used to designate the ambulance(s) of the applicant;

I. Evidence concerning applicant's adherence to rules and regulations.

1. Identification of all licenses and franchises held during past 10 years,

2. Disclosure of whether the applicant or the principals of the applicant have ever been investigated by any governmental agency and disclosure of the nature of the investigation, and

3. Disclosure of whether the applicant or the principals of the applicant have ever had licenses revoked or whether any of them has been convicted of any misdemeanor or felony; or whether there are any pending criminal proceedings at the time of application.

4. Applicant must show proof of any current business license issued by any United States jurisdiction, and

5. Applicant must show proof that its business location is properly zoned for the incorporated city or unincorporated area in which it is located.

J. A copy of the CHP emergency ambulance operator's license and results of most recent CHP inspection for all ground ambulances. ~~An objective "business plan" or "statement of work" demonstrating that the granting of a county license would enhance the current system and level of service in the community; and~~

K. Dispatch logs for the thirty (30) day period immediately prior to the date of application.

L. Dispatch policies and procedures and qualifications for dispatchers.

M. Affirmation that applicant will adhere to all applicable federal, state, and local rules, regulations and laws, including Los Angeles County prehospital care policies and procedures.

N. EMS Aircraft applicants shall submit the following additional information:

1. A copy of the Federal Aviation Regulations Part 135 Certificate issued by the Federal Aviation Administration.

2. The level or levels of service which applicant proposes to provide, as identified in Los Angeles County prehospital care policies and procedures.

3. Any such additional information as required in Los Angeles County prehospital care policies and procedures.

K.O. Any sSuch further information requested by as either the county sheriff or the local EMS agency may require.

P. The local EMS agency shall reserve the right to inspect the on-site records and operations of applicant.

Q. Neither the local EMS agency nor any applicant for an exclusive emergency ambulance or advanced life support operating area under provisions of Health and Safety Code Sections 1797, et seq., is required to adhere to the procedures defined in this code for application for and granting of any such exclusive operating area, unless the local EMS agency chooses to impose one or more of these procedures as part of the process for selecting a grantee for an exclusive operating area.

SECTION 7. Section 7.16.051 is hereby amended to read as follows:

7.16.051 Ambulance operator license required -- Special events.

A. Every application for an ambulance operator's license for special events services shall be signed by the applicant and filed with the local EMS agency. In addition to the requirements of Section 7.06.020 of this title, the application shall contain the following information:

A1. Applicant agrees to provide special events services only;

B2. Testimony (written or verbal, or both) presented in support of the application from responsibly positioned people, institutions, or users of the service is optional;

~~E3.~~ Evidence that the applicant's company has technically qualified management. This evidence shall include the manager's resume showing type and duration of transportation experience, including at least five years of increasingly responsible experience in the operation or management of a basic life support or advanced life support service;

~~D4.~~ The number and type, age, condition, and patient capacity of each ambulance proposed to be operated by the applicant, and a description and address of the premises which are to serve as the base of operations;

~~E5.~~ ~~Kind and amount of automobile liability, public liability, professional liability, Worker's Compensation, and other insurance of the applicant~~ A certificate or other evidence of insurance coverage satisfactory to county confirming that the license applicant carries an insurance policy with coverages and limits that are in accordance with the requirements of Section 7.16.180;

~~F6.~~ The color scheme and insignia to be used to designate the ambulance(s) of the applicant;

~~G7.~~ Evidence concerning the applicant's adherence to rules and regulations, including the following information:

~~4a.~~ Identification of all licenses and franchises held during the past 10 years,

~~2b.~~ Disclosure of whether the applicant or the principals of the applicant have ever been investigated by any governmental agency and disclosure of the nature of the investigation, and

3c. Disclosure of whether applicant or the principals of the applicant have ever had licenses revoked; or whether they have been convicted of any misdemeanor or felony; and whether there are any pending criminal proceedings at the time of application.

d. Applicant must show proof of any current business license issued by any United States jurisdiction, and

e. Applicant must show proof that its business location is properly zoned for the incorporated city or unincorporated area in which it is located.

8. A copy of the CHP emergency ambulance operator's license and results of most recent CHP inspection for ground ambulances.

9. Affirmation that applicant will adhere to all applicable federal, state, and local rules and regulations and county prehospital care policies and procedures.

H10. Any sSuch further information requested by as either the county sheriff or the local EMS agency may require.

B. Ambulance operators providing services for special events only, and who do not respond to calls from the general public, are exempt from 24-hour availability as a licensing prerequisite.

C. A special events operator shall notify the director of the department of health services or his or her designee, at least seven days prior to providing standby services for any special event in Los Angeles County, of the location and duration of such services.

D. Rates for special events ambulance services shall be determined by agreement between the events promoter and the special event ambulance operator. Rates charged to the

general public for special events transport shall not exceed the general public rates specified in Section 7.16.4280, 7.16.290, and Section 7.16.310 of this chapter.

E. A special events operator must submit a new application in order to provide any additional ambulance services.

SECTION 8. Section 7.16.080 is hereby deleted in its entirety:

~~7.16.080 Ambulance operator license -- Finding of necessity.~~

~~Except as provided by Sections 7.06.200 through 7.06.260 of this title, the director of the department of health services shall determine whether or not public convenience, safety, and necessity requires the issuance of an ambulance operator's license. To establish public convenience, safety, or necessity for purposes of this section, the applicant shall demonstrate to the satisfaction of the director of the department of health services that it has complied with each of the following requirements:~~

~~A. The applicant has complied with all provisions of this title.~~

~~B. The applicant is, under normal conditions, serving or likely to serve the public adequately.~~

~~C. The applicant has submitted a "business plan" or "statement of work" which demonstrates that the applicant will provide ambulance services which will enhance the current system and the level of services.~~

~~D. The applicant is a fit and proper person to have an ambulance operator's license.~~

~~The requirements of this section shall be inapplicable to the selection process for the award of an exclusive operating area, pursuant to Health and Safety Code Sections 1797, et~~

~~seq., unless the director of the department of health services chooses to impose one or more of these requirements as part of such selection process.~~

SECTION 9. Section 7.16.100 is hereby amended to read as follows:

7.16.100 Ambulance operator -- Prohibited acts.

A. No ambulance operator shall:

A1. Fail to dispatch an ambulance within a reasonable time in response to an emergency call from a public agency or authorized emergency transportation operator for that geographical area, unless such entity is immediately advised of a delay in responding to a call;

B2. Fail, neglect, or refuse to disclose to any entity requesting an emergency response that an ambulance is not available, if indeed an ambulance or appropriate staffing therefore is not then available;

C3. Fail, neglect, or delay to provide transportation of the patient to the most accessible and appropriate medical facility in accordance with state law and with department of health services policies in an emergency case;

D4. Use a scanner or radio monitoring device for the purpose of responding to an emergency call when not authorized or requested to respond to that call by the appropriate public safety agency;

E5. Use a red light and siren (i.e., Code 3 or emergent operation) for response to calls received as nonemergencies;

F6. Permit the operation of an ambulance in any manner contrary to the provisions of this title or any rule or regulation adopted pursuant thereto and any section of the California Vehicle Code, Titles 13 and 22 of the California Code of Regulations, the Federal

Aviation Regulations, and the statutes, rules, and regulations of the ~~m~~Medicare and ~~m~~Medi-Cal programs.

~~G7.~~ Perform the services of a paramedic advanced life support, or critical care transport provider unless that operator has first been approved as a paramedic advanced life support, critical care transport provider for the provision of such services by the local EMS agency;

~~H8.~~ Fail to respond to emergency and nonemergency calls within the time parameters set forth in Section 7.16.050 of this chapter, except as may otherwise be specified either in a county contract with the operator or in other sections of this chapter;

~~I9.~~ Provide paramedic advanced life support critical care transport services to any person or institution under any circumstances without a contract with the county for the provision of such services; and

~~J10.~~ Respond to any emergency call that would normally be considered an emergency 9-1-1- call for the authorized emergency transportation operator for that geographical area, unless the call is from either a public entity or such authorized emergency transportation operator requesting backup services. If, upon arrival at the scene of pickup in response to a call for nonemergency services, and after assessment of the patient it is determined that a higher level of prehospital care intervention is needed, the appropriate 9-1-1 dispatching agency shall be notified immediately.

B. The commission of any prohibited act, as set forth in this chapter, by an operator or operator's employee or agent shall subject the operator to the imposition of administrative

fines pursuant to Section 7.16.125, et seq., of this code in addition to any other applicable administrative, civil, or criminal remedy.

SECTION 10. Section 7.16.105 is hereby amended to read as follows:

7.16.105 License probation, suspension, or revocation.

A. The director may place on probation, suspend, or revoke an ambulance operator license for failure by the licensee to comply, and maintain compliance with, or for violation of, any applicable provisions, standards, or requirements of state statute or regulation, of this code, or of any regulations promulgated hereunder. Probation or suspension of a license is not a condition precedent to revocation of a license.

B. Before probation, the director of the department of health services shall give written notice to the licensee. Said notice shall:

1. Specify the reasons for which the probation action is to be taken. Such reasons shall include, but are not limited to:

a. Any violations of this title or any federal, state, or local law or regulation related to the provision of emergency medical services.

b. Failure to make, keep, maintain, and provide upon request any records or documents required by this section (including records of current CHP inspections and licenses),

c. ~~Provision~~ Use of unlicensed vehicles or noncertified unlicensed Emergency Medical Technicians (EMTs) or other unlicensed medical personnel, and

d. Failure to pay required fees or fines within thirty (30) days of due date;

2. Set forth the term of the probation period not to exceed 120 days;

3. Request a plan of correction for the violation(s) specifying the reasons the action is being taken; and

4. Written notice shall ~~Be~~ served on the licensee, either by delivery to its principal place of business or to its designated agent for service of such notices, if any.

C. Before suspension or revocation, the director of health services shall give written notice to the licensee. Said notice shall:

1. Specify the reasons for which the action is to be taken. Such reasons include, but are not limited to:

a. Any ~~Violations~~ of this section chapter or the ~~California Codes~~ any federal, state, or local law or regulation related to the provision of emergency medical services,

b. Failure to maintain insurance coverage as defined in Sections 7.16.180 and ~~7.16.200,~~

~~c. Failure to maintain Workers' Compensation insurance,~~

dc. Repeated and continuous minor violations,

ed. Conviction of a felony by the licensee,

fe. Conviction of an offense related to the use, sale, possession, or transportation of narcotics,

gf. Aiding or abetting an unlicensed or uncertified person to evade the provisions of this title,

hg. Presenting a threat to public health and safety by including, but not limited to, using unlicensed or uncertified personnel,

ih. ~~Failure to provide services as defined in the operator's business plan or statement of work; Failure to pay any fine or fee imposed by any provision of this chapter,~~

i. ~~Failure to maintain and/or provide records as required by this chapter, or~~

i. ~~Debarment by the Centers for Medicare and Medicaid (CMS).~~

2. Set forth a hearing date, of not more than 15 county working days nor less than seven county working days after the date of delivery of the notice to the licensee;

3. Specify the date, time, and place of the hearing; and

4. Be served on the licensee, either by delivery to its principal place of business or to its designated agent for service of such notices, if any.

D. If the licensee, subsequent to service of such a probation, suspension, or revocation notice under this section, remedies some or all of the conditions to which the notice refers, the director of the department of health services may rescind the probation, suspension, or revocation at any time.

E. At the hearing, the department of health services has the burden of proof and may present evidence as to why such action should be taken and to answer the evidence presented by the licensee.

F. The director of the department of health services may reduce the period of time for hearing under a suspension or revocation notice to no less than 24 hours when the director makes written preliminary findings that such action is necessary to protect the public health, safety, and welfare. When, as a result of such an emergency proceeding, a license is

suspended or revoked, the licensee may request an additional hearing at which the licensee will have the burden of establishing renewed compliance justifying reinstatement of the license. Such additional hearing will be commenced within five days of the licensee's written request to the director. The request for, and the scheduling of, an additional hearing shall not stay operation of the suspension or revocation order.

G. Hearings conducted pursuant to this section shall be conducted before an impartial hearing officer designated by the director of the department of health services who is not an employee of the department. At the conclusion of said hearing, the hearing officer shall expeditiously prepare a written summary of the evidence and proposed findings, ~~and~~ conclusions, and recommendations for consideration by the director.

H. The director of the department of health services shall issue a written decision within 15 county working days after conclusion of the hearing.

I. Except as may be specifically provided by this section or by other provisions of this title, the hearing and appeal rules and regulations reflected in Chapters 7.10 and 7.12 of this title are applicable to the license suspension or revocation proceedings referenced in this section.

SECTION 11. Section 7.16.125 is hereby amended to read as follows:

7.16.125 ~~Fines for operating an ambulance in Los Angeles County without an ambulance operator's license.~~ Violations of chapter -- notice of violation.

~~A. Any person who provides ambulance services without an ambulance operator's license shall be fined \$1,000.00 per occurrence.~~

~~B. Before such a fine shall be imposed, the director of the department of health services shall give written notice to the ambulance operator of the intention to impose the fine. Said notice shall:~~

- ~~1. Specify the occurrences for which the fine(s) are to be imposed;~~
- ~~2. Set forth a hearing date of not more than 15 county working days nor less than seven county working days after the date of delivery of the notice to the licensee;~~
- ~~3. Specify the date, time, and place of the hearing;~~
- ~~4. Be served on the licensee either by delivery to its principal place of business or to its designated agent for service of such notices, if any.~~

~~C. At the hearing, the director of the department of health services has the burden of proving the occurrence(s) for which a fine should be imposed.~~

~~D. Hearings conducted pursuant to this section shall be conducted before a hearing officer designated by the director. At the conclusion of the said hearing, the hearing officer shall expeditiously prepare a written summary of the evidence and proposed findings and conclusions for consideration by the director.~~

~~E. The director of the department of health services shall issue a written decision within 15 days after conclusion of the hearing. The fines provisions of this section supersede those of Section 7.04.360 of this code with respect to ambulance operator licensing.~~

Whenever an enforcement officer determines that a violation of any provision of this chapter has occurred, the enforcement officer is authorized to issue a notice of violation to the operator, and to any attendant or driver in those cases where it is determined that such attendant or driver has violated any provision in this Chapter. The notice of violation may

specify a correction period if, in the judgment of the enforcement officer, a correction period is warranted.

SECTION 12. Section 7.16.126 is hereby added to read as follows:

7.16.126 Prohibited acts -- violations of chapter; administrative fines.

A. Any person who provides ambulance services without an ambulance operator's license may be charged with a misdemeanor pursuant to chapter 1.24 of this code in addition to an administrative fine of five thousand dollars (\$5,000.00) per occurrence.

B. Except as provided in Section 7.16.160(C) of this Chapter, any violation of any section of this chapter by an operator or operator's employee or other agent may subject that operator to an administrative fine in an amount up to five thousand dollars (\$5,000.00). Such administrative fine may be issued in addition to any other remedy available to the local EMS agency, including license revocation, suspension, probation, or referral for criminal prosecution.

C. Administrative fines shall be due within thirty (30) days of issuance of the notice of violation.

SECTION 13. Section 7.16.127 is hereby added to read as follows:

7.16.127 Procedure for notice and imposition of administrative fines.

A. Whenever the enforcement officer determines that a violation has occurred, the director may issue an administrative fine to the operator.

B. Each notice of administrative fine shall contain the following information:

1. A statement that an administrative fine is being imposed on the operator pursuant to this chapter of the code;

2. The name of the operator;
3. The section violated;
4. The address of location where the code violation occurred;
5. A description of the code violation;
6. The name of the enforcement officer issuing the violation;
7. The amount of the administrative fine and the procedure for paying the fine; and
8. The procedure for requesting an administrative hearing to contest the imposition of the administrative fine.

C. Unless the operator requests an administrative hearing to contest the imposition of the fine, pursuant to Section 7.16.128, the notice of administrative fine shall constitute the final administrative order of the county with respect to said administrative fine, and the fine shall be due and payable to the director within thirty (30) calendar days following service of the notice of administrative fine.

D. The director shall serve a notice of administrative fine by either of the following methods:

1. By personal delivery to the operator or operator's employee or agent. Service shall be deemed effective at the time of the personal delivery; or
2. By first class mail to operator at operator's place of business. Service shall be deemed effective five (5) calendar days after the date of mailing.

E. Payment of the administrative fine shall not excuse the operator from correcting the violation when required by the director.

SECTION 14. Section 7.16.128 is hereby added to read as follows:

7.16.128 Request for administrative hearing.

A. Any operator served with a notice of administrative fine may request an administrative hearing before a hearing officer to contest the imposition and/or amount of the administrative fine. The request must be in writing and be filed with the local EMS agency director within ten (10) calendar days following service of the notice of administrative fine and shall include a statement indicating the basis on which the operator contests the imposition of the administrative fine, together with any evidence the operator would like the hearing officer to consider.

B. The written request for administrative hearing must be accompanied by a deposit equal to the full amount of the administrative fine(s) specified in the notice of administrative fine. Failure to deposit this amount concurrently with the request for administrative hearing shall constitute a waiver of the operator's entitlement to the administrative hearing. The hearing request and fee deposit shall be deemed filed on the date received by the local EMS agency.

C. After receiving a timely hearing request and the full amount of fine deposit, the local EMS agency shall schedule an administrative hearing. The operator shall be given not less than ten (10) calendar days prior written notice of the date, time, and location of the administrative hearing and the name of the hearing officer who will conduct the administrative hearing.

SECTION 15. Section 7.16.129 is hereby added to read as follows:

7.16.129 Administrative hearing procedures.

A. The hearing officer shall be appointed by the director.

B. Hearings shall be conducted by the hearing officer on the date, time and place specified in the notice provided for in Section 7.16.128. The hearing officer may, in his or her discretion, grant a continuance of the hearing date upon written request and a showing of good cause. The request must be received by the hearing officer at least two (2) business days prior to the hearing. In no event shall the continuance be longer than forty-five (45) calendar days from the originally scheduled hearing date.

C. At the hearing, the operator shall have the opportunity to present evidence relevant to the hearing officer's determination of the matter. The failure of the operator to appear at the administrative hearing shall constitute an abandonment of the hearing request and a failure to exhaust administrative remedies to judicially challenge the imposition of the administrative fine. If the administrative hearing is abandoned, the issuing department shall keep the funds deposited with the hearing request.

D. The notice of violation, notice of administrative fine, and any other reports prepared by or for the enforcement officer concerning the code violation, shall be accepted by the hearing officer as prima facie evidence of the code violation and the facts stated in those documents.

E. After considering all the evidence and testimony submitted at the hearing and within ten (10) calendar days after the close of the hearing, the hearing officer shall issue a written decision that confirms or cancels the administrative fine. The written decision shall include a statement of the reasons for the decision and shall be served personally or by first-

class mail. The hearing officer's written decision shall constitute the final administrative decision of the county.

F. If the hearing confirms the imposition of the full amount of the administrative fine, the local EMS agency shall keep the funds deposited with the hearing request.

G. If the hearing officer cancels the administrative fine, the local EMS agency shall refund the entire amount of the funds deposited with the hearing request to the operator within twenty (20) calendar days from the date of the written decision.

SECTION 16. Section 7.16.130 is hereby amended to read as follows:

7.16.130 Licensing for private or nonprofit hospitals' or physicians' ambulances.

A.—The department of health services shall not issue an ambulance operator's license to any privately owned emergency hospital, any privately owned urgent care center, or any private hospital, nonprofit hospital, or physician group.

B.—~~Provided, however, that~~ The director of the department of health services may make individual exceptions to this limitation if a waiver of the provision is requested. Granting of a request for waiver would be based on a finding that the public convenience and necessity requires issuance of the ambulance operator's license, ~~pursuant to Section 7.16.080 of this chapter.~~

SECTION 17. Section 7.16.140 is hereby amended to read as follows:

7.16.140 Driver's and attendant's certificates and licenses -- Required.

A. Every ground ambulance driver shall possess a valid California Ambulance Driver's Certificate.

B. Every ground ambulance driver and every ground ambulance attendant shall possess a valid Emergency Medical Technician (EMT) ~~4A~~ certificate or ~~EMT-P (Paramedic)~~ certificate license.

C. The medical flight crew of an EMS Aircraft shall possess valid licensure and/or certification as specified in Los Angeles County prehospital care policies and procedures.

SECTION 18. Section 7.16.160 is hereby amended to read as follows:

7.16.160 Driver's and attendant's certificates and licenses -- Carrying for inspection.

A. Every ground ambulance driver and every ground ambulance attendant shall carry and produce such documents for inspection upon request by the director of the department of health services, or his or her designee, during ambulance service working hours, the following documents: ~~Ambulance drivers and attendants shall produce such documents for inspection upon request to the director of the department of health services or his or her designee.~~

1. Current California driver's license (driver);
2. Current California ambulance driver's ~~license~~ certificate (driver);
3. Current California medical examination ~~report~~ card (DL-51) ~~(driver)~~;
4. Current state of California Emergency Medical Technician-~~4~~ (EMT-~~4~~) certification card or current ~~Emergency Medical Technician-Paramedic (EMT-P)~~ Paramedic license (both driver and attendant);

5. ~~Current Emergency Medical Technician P (EMT-P)~~Paramedic Los Angeles County accreditation certification card -- ~~EMT-P's~~Paramedics only (~~both driver and attendant~~).

B. Every medical flight crew member of an EMS Aircraft shall carry and produce for inspection upon request by the director of the department of health services, or his or her designee, during ambulance service working hours, his or her applicable licensure and or certification documents, as specified in Los Angeles County prehospital care policies and procedures.

C. Failure to provide current licenses and certification, as listed in Section 7.16.160(A) or (B), to a local EMS agency representative upon request shall be deemed a violation of this code and shall subject the driver and/or attendant, and applicable medical flight crew member, to an administrative fine in an amount up to two hundred fifty dollars (\$250.00) in addition to the applicable provisions of chapter 7.04. Any notice of violation shall be issued pursuant to the requirements of Section 7.16.125, et seq., of this chapter. ~~result in a citation issued to the operator (via the employee).~~ The operator shall also be notified by telephone. The employee shall be removed from service until he or she has all current licenses and certifications in his or her possession. The operator or the employee shall provide documentation of the employee's current certifications to the EMS agency within five days of the issuance date of the citation.

B.D. Every ambulance operator shall be responsible for promulgating and enforcing employee rules to ensure compliance with this section. An ambulance operator failing to promulgate or to enforce employee rules hereunder shall be subject to an administrative fine in

an amount up to five thousand dollars (\$5,000.00) per occurrence as well as the appropriate penalties and fines defined in Chapter 7.04.

SECTION 19. Section 7.16.170 is hereby amended to read as follows:

7.16.170 Ambulance -- Both driver and attendant required.

No ambulance operator, ambulance driver, or ambulance attendant shall transport any sick, injured, convalescent, infirm, or otherwise incapacitated person in any ground ambulance unless there is present in such ambulance an ambulance driver and an ambulance attendant who are appropriately licensed and certified in accordance with the requirements of Section 7.16.140.

SECTION 20. Section 7.16.180 is hereby amended to read as follows:

7.16.180 Insurance.

A. Every ambulance operator ~~applicant for an ambulance operator's license~~ shall obtain and maintain in full force and effect throughout the term of the license the minimum insurance coverage types and limits listed below. ~~liability insurance, including but not limited to, comprehensive general liability and comprehensive auto liability, each with a combined single limit of not less than \$1,000,000.00 per occurrence, and professional liability, with a limit of not less than \$1,000,000.00 per claim.~~ Such insurance shall be primary to and not contributing with any other commercial insurance policies or self-insurance programs ~~covering or~~ maintained by the county. Such insurance shall be provided by insurer(s) satisfactory to the county. The general and auto liability insurance policies shall name the county of Los Angeles as an additional insured. ~~A deductible greater than \$5,000.00 per occurrence may be allowed with the approval of the county risk manager. Such insurance shall be provided by insurer(s)~~

satisfactory to the county risk manager. Certificates or other Eevidence of such insurance shall be attached to the application and shall provide that the local EMS agency is to be given written notice at least 30 days in advance of the cancellation any modification or termination of any such insurance policies.

B. ~~The minimum limits and forms of coverage of such liability insurance shall be subject to review and adjustment by the county risk manager at the county's sole option.~~ The minimum insurance coverage type and limit requirements for ground ambulance operators are:

1. General liability insurance with limits of not less than one million dollars (\$1,000,000.00) each occurrence and two million dollars (\$2,000,000.00) aggregate.
2. Automobile liability insurance with limits of not less than one million dollars (\$1,000,000.00) of each accident; such insurance shall cover all vehicles used by the operator.
3. Workers' compensation and employers' liability insurance, or an equivalent program of self-insurance coverage which complies with California Labor Code requirements.
4. Professional liability insurance covering operator's errors and omissions with limits of not less than one million dollars (\$1,000,000.00) per each claim and two million dollars (\$2,000,000.00) aggregate.

C. The minimum insurance coverage type and limit requirements for EMS Aircraft operators are:

1. Comprehensive aviation liability insurance including bodily injury and property damage liability with a combined single limit of not less than fifty million dollars (\$50,000,000.00) each occurrence and aggregate.

2. General liability insurance with limits of not less than one million dollars (\$1,000,000.00) each occurrence and two million dollars (\$2,000,000.00) aggregate.

3. Workers' compensation and employers' liability insurance, or an equivalent program of self-insurance coverage which complies with California Labor Code requirements.

4. Professional liability insurance covering operator's errors and omissions with limits of not less than one million dollars (\$1,000,000.00) per each claim and two million dollars (\$2,000,000.00) aggregate.

D. The director, at his or her sole option, reserves the right to change these insurance requirements at any time during the license term by giving the operator ninety (90) days advance written notice of any such change.

SECTION 21. Section 7.16.200 is hereby deleted in its entirety.

~~7.16.200 Workers' Compensation insurance required.~~

~~The department of health services shall not grant any ambulance operator's license unless the applicant files with the department of health services a policy of Workers' Compensation insurance or a certificate of consent to self-insure issued by the State Director of Industrial Relations, applicable to all employees of the applicant. The licensee shall thereafter maintain in full force and effect such coverage during the term of the license. Certificates or copies evidencing such coverage shall be provided to and maintained by the department of health services and shall provide that the local EMS agency is to be given written notice at least 30 days in advance of any modification or termination of any such insurance.~~

SECTION 22. Section 7.16.210 is hereby amended to read as follows:

7.16.210 Ambulance – Mechanical requirements.

The director of the department of health services or his or her duly authorized designee shall not grant or issue an ambulance vehicle license for any ground ambulance which at the time of application is more than eight years old as defined by the initial date the vehicle was first put into service, provided that the date is not greater than one year from the date of its manufacture.

However, the director of the department of health services or his or her duly authorized designee may make individual exceptions to the eight-year-old age limitation where the public convenience and necessity would be served, provided that the vehicle meets all other inspection requirements for licensure.

SECTION 23. Section 7.16.215 is hereby amended to read as follows:

7.16.215 Ambulance -- Design requirements.

A. Ground ~~A~~ ambulance design, equipment, and ancillary equipment shall meet Department of Transportation, California Vehicle Code, CHP, and other local equipment and feature specifications.

B. The patient compartment of an ground ambulance shall at a minimum, have:

1. An interior height from floor to ceiling of not less than 60 inches;
2. ~~Aisle width from the edge~~ A distance of not less than twelve (12) inches from the base of the squad bench to the frame of the cot ~~of not less than 44 inches;~~
3. A distance of not less than twelve (12) inches from the cot to the rear door (measured at floor level);

4. A distance of not less than twelve (12) inches from the face of the attendant seat to the cot;

35. Interior patient length (measured at floor level) of not less than 446 one hundred thirteen (113) inches from the patient compartment partition to the rear door; and

46. A rear loading doorway vertical clearance of not less than 46 inches.

C. EMS Aircraft design, equipment, and ancillary equipment shall meet Federal Aviation Administration and local EMS agency equipment and feature specifications.

GD. Interior storage configuration shall be at the operator's discretion.

DE. Provided, however, that the director of the department of health services or his or her designee may make individual exceptions to these limitations if a waiver is requested. Granting of a request for waiver would be based on a finding that public convenience and safety requires issuance of the ambulance vehicle license.

SECTION 24. Section 7.16.220 is hereby amended to read as follows:

7.16.220 Ambulance – Inspection prerequisite to license issuance.

The director of the department of health services shall not issue any ambulance license for a ground ambulance until it has verified with the California Highway Patrol that the ambulance has been inspected and that it complies with all of the safety regulations of the State Department of Motor Vehicles and of the California Highway Patrol. The director of the department of health services shall be further assured that the ambulance meets all pertinent requirements imposed by this title before issuing a license for the vehicle.

SECTION 25. Section 7.16.240 is hereby amended to read as follows:

7.16.240 Vehicle – Odometer test.

A.____ Every ambulance operator making any charges based on mileage shall have the odometer of each ambulance tested and certified annually by the department of agricultural commissioner/weights and measures in accordance with the procedures of that department as defined in county code Chapter 2.40. In the event that the department of agricultural commissioner/weights and measures does not have the testing equipment available at the time an operator applies for a new or replacement vehicle license, operator shall register the vehicle with the department of agricultural commissioner/weights and measures and may obtain a temporary operating authorization from the local EMS agency pending testing by that department. The operator must, however, provide the local EMS agency with a copy of the device registration certificate issued for that vehicle and a certificate of accuracy from a state certified testing agency. Final license approval will be held pending testing and certification by the department of agricultural commissioner/weights and measures. For renewal licenses, the operator shall have the odometer tested by the department of agricultural commissioner/weights and measures. A copy of the current paid device registration certificate shall be submitted at the time of license renewal.

B.____ Ambulance operators licensed by the county, whose primary location is outside of Los Angeles County, must comply with the odometer testing requirements of the county of origin, and must provide the local EMS Agency with a current copy of that county's certification at time of application for a new ambulance vehicle license, replacement vehicle status or ambulance license renewal. If the county of origin does not require odometer testing by county, the ambulance operator shall provide a copy of certificate from a state certified agency documenting the accuracy of each vehicle odometer.

C. EMS aircraft-only operators are exempt from the odometer testing requirement.

~~Special events only operators, who do not charge for mileage, are exempt from the odometer testing requirement.~~

SECTION 26. Section 7.16.280 is hereby amended to read as follows:

7.16.280 Rate schedule for ambulances.

A. An ground ambulance operator shall charge no more than the following rates for one patient:

1. Response to call with equipment and personnel at an advanced life support (ALS) level, \$1,232.50
2. Response to call with equipment and personnel at a basic life support (BLS) level, \$863.25
3. Code 3 (or emergent) used during response or transport, per incident, \$118.00
4. Code 2 (or non-emergent) used during response or transport per incident, \$46.50
5. Mileage Rate. Each mile or fraction thereof, \$17.00

6. Waiting Time. For each 15-minute period or \$46.50 fraction thereof after the first 15 minutes of waiting time at the request of the person hiring the ambulance
7. Standby Time. The base rate for the \$44.50 prescribed level of service and, in addition, for each 15-minute period or fraction thereof after the first 15 minutes of standby time,

B. This section does not apply to a contract between the ambulance operator and the county where different rates or payment mechanisms are specified.

***Editor's note:** Fee changes in this section include changes made by the director of health services due to increases in the Consumer Price Index and are effective July 1, 2010.

SECTION 27. Section 7.16.290 is hereby amended to read as follows:

7.16.290 Rates for multiple loads.

A. For multiple loads from the same point of origin to the same destination, an ground ambulance operator shall charge one-half of the base rate and one-half of the mileage rate for each additional patient. The total charges shall then be divided equally among the patients.

B. For multiple loads with either different points of origin or destinations, an ground ambulance operator shall charge one-half the base rate and one-half the mileage rate for each additional patient. The total charges shall be computed and proportionately prorated among the patients.

C. This section does not apply to a contract between an ground ambulance operator and the county where different rates or payment mechanisms are specified.

SECTION 28. Section 7.16.310 is hereby amended to read as follows:

7.16.310 Special charges.

*A. An ground ambulance operator shall charge no more than the following rates for special ancillary services:

1. Request for service after 7:00 p.m. and before 7:00 a.m. of the next day will be subject to an additional maximum charge of \$76.50
2. Persons requiring oxygen shall be subject to an additional maximum charge per tank or fraction thereof, of \$59.25
3. Backboard, splints, KED \$46.25
4. Traction splints \$83.00
5. Transport--noncompany staff medical personnel--first one-half hour \$29.75
6. Neonatal transport \$176.50
7. Ice packs \$24.75

8.	Bandages, dressing	\$24.75
9.	Oxygen cannula/mask	\$24.75
10.	Cervical collar	\$41.75
11.	Obstetrical kit	\$45.25
12.	Burn kit	\$45.25
13.	Nurse critical care transport--per hour	\$210.75
14.	Volume ventilator	\$159.00
15.	Respiratory therapist for the first three hours, and \$98.25 per hour after the first three hours	\$240.00
16.	Pulse oximeter	\$80.25
17.	Infusion pump (per line)	\$80.25
18.	<u>Automated external defibrillator (AED)</u>	<u>\$74.50</u>
19.	<u>Continuous positive airway pressure (CPAP)</u>	<u>\$74.50</u>

~~18. Helicopter support response: An operator may charge all service and supply charges that would apply if the call was a land based response; and~~

49.B. Where other special services are requested or needed by any patient or authorized representative thereof, a reasonable charge commensurate with the cost of

furnishing such special service may be made, provided that the ambulance operator shall file with the director of the department of health services a schedule of each special service proposed and the charge therefore, which charge shall be effective unless modified, restricted, or denied by the director of the department of health services. Special services are defined as services provided to a patient that are unique and individual to a specific patient's needs, and are performed on a limited basis.

C. Charges for special services provided to patients that are new services, but will become an industry standard, must be reviewed and a rate commensurate with the service developed prior to ambulance operators charging such rate to the general public. Such rates shall not be charged to patients until approved by the board of supervisors.

BD. This section does not apply to a contract between an ambulance operator and the county where different rates or payment mechanisms are specified.

***Editor's note:** Fee changes in this section include changes made by the director of health services due to increases in the Consumer Price Index and are effective July 1, 2010.

SECTION 29. Section 7.16.330 is hereby amended to read as follows:

7.16.330 Total charges computation.

The total charges shall be the sum of the appropriate base rate plus the mileage rate applied to the distance actually traveled, plus the time rate applied to requested waiting or standby time, plus any special charges which apply. Ground a Ambulance operators who choose to use computer-based mileage calculations to provide consistency in mileage billing in lieu of the distance recorded by the ambulance vehicle driver, shall request authorization from the local EMS agency prior to implementation of such a program. As part of the authorization

process, the operator shall provide the local EMS agency with a quality assurance program that details the operator's plan for periodic reviews of both the computer mileage assisted calculations and the data entry process to insure that the patient is not overcharged. The local EMS agency will approve or reject use of a computer-based mileage calculation program within 30 days of receipt of a request for approval. All rates, including computer-based mileage charges, are to be computed from the time the ground ambulance arrives for hire until the ground ambulance is discharged by the patient or his or her authorized representative.

SECTION 30. Section 7.16.345 is hereby amended to read as follows:

7.16.345 Ambulance response times.

Licensed ground ambulance operators shall meet in 90 percent or more of all ambulance runs during any calendar ~~quarter~~month the maximum response times defined in Section 7.16.050 of this chapter. The director of the department of health services may waive in writing one or more of these response time requirements for any operator for a prescribed period. In determining whether to grant any such waiver, the director must find that one or more of the following geographical or other special or unusual conditions for the area for which the waiver is sought prevented the operator from satisfying the response time requirement(s):

- A. Physical isolation of the area;
- B. Topographical conditions;
- C. Road conditions;
- D. Adverse weather conditions.
- E. Multiple Casualty Response when at least one (1) other unit has previously been dispatched and arrived within the required response time to the same incident.

**IMPLEMENTATION OF CHANGES TO COUNTY CODE, TITLE 7,
BUSINESS LICENSES, CHAPTERS 7.14 AND 7.16
POSITIONS IN EXCESS OF CURRENTLY AUTHORIZED IN THE DEPARTMENT OF
HEALTH SERVICES STAFFING ORDINANCE
(SECTION 6.06.020 OF THE COUNTY CODE)**

2 Programmatic Positions

Existing Program: Ambulance Programs Section – 2 Positions

**(Proposed Classification) Emergency Medical Services (EMS) Agency Investigator
- 1 Item**

This item will be responsible for conducting investigations into alleged violations of the Los Angeles County Ambulance Ordinance, laws or regulations governing emergency medical personnel, patient care, and prehospital certification and recommendations of financial penalties per the Ordinance.

This new position will allow the EMS Agency to provide additional enforcement and respond to the increased workload associated with the regulation of all ambulance (ground and air) and ambulette operators within Los Angeles County. Ensuring that ambulances operating within the County are operated in a safe and medically sound manner in accordance with the requirements of the State of California Health and Safety Code is central to the Department of Health Services' goal of protecting the health, welfare, and safety of the residents and visitors of Los Angeles County.

Contract Program Auditor – 1 Item

This item will be responsible for ensuring ongoing County Code compliance for the anticipated increased number of ambulance providers to be licensed by the County. This position will also aid in ensuring the timeliness of business license processing and will assist the Ambulance Programs Section in enforcement of the revised County Code by working closely with the requested EMS Investigator.

This new position will allow the EMS Agency to conduct detailed inspections during on-site visits of ambulance and ambulette operators, including verification that required qualifications, certifications, business and vehicle licenses, equipment and insurance are met and kept current. This position shall serve as liaison with the Treasurer and Tax Collector's Office for issuance of new ambulance business licenses. This position will also be conducting inspections of ambulance and ambulette vehicles' required inventory; identifying areas of non-compliance and providing consultative/corrective services to providers, as well as preparing written audit reports and corrective action plans in consultation with assigned Manager.